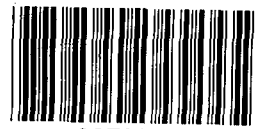




309 KEARNS BUILDING  
SALT LAKE CITY, UTAH 84101



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U.S. EPA. REGION VIII  
EMERGENCY RESPONSE BRANCH

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FILE PLAN

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July 15, 1992

Mr. Mike Zimmerman, Environmental Protection Specialist  
U. S. Environmental Protection Agency  
Region VIII, (8HWM-ER)  
999 18th Street, Suite 500  
Denver, Colorado 80202-2405

Dear Mr. Zimmerman:

Pursuant to the recent telephone conversation between Richard Baird and Rosemary J. Beless, I enclose a revised Consent to Access.

This Consent to Access has been revised to allow entry upon Richardson Flat for the period of August 4, 1992 through and including August 8, 1992. Additionally, the paragraph which addresses the removal of discarded materials, rubbish, protective clothing and used chemicals and sampling devices has been revised to more accurately reflect our objectives and intentions. I believe that this revision will also satisfy Mr. Baird's concerns.

I trust that this version of the Consent to Access will satisfy everyone's concerns.

Yours truly,

Edwin L. Osika, Jr.  
Executive Vice President

ELO,Jr./epalaf1

encl. (1)

CONSENT TO ACCESS

COPY

UNITED PARK CITY MINES COMPANY ("UPCMC"), owner of the property known as Richardson Flat Tailings, located in the NW1/4, Section 1, Township 2 South, Range 4 East, Summit County, Utah (the "Site"), agrees to allow the employees and other authorized representatives of the United States Environmental Protection Agency ("EPA") and of the Utah Department of Environmental Quality ("UDEQ") (collectively the "Government Representatives") to enter upon the Site on the dates of August 4, 1992 through and including August 8, 1992, after meeting with UPCMCM personnel at 8:00 am on August 4, 1992, at the junction of Highways U 248 and US 40, solely for the purpose of the taking of soil borings and surface water, soil, sediment and ground water samples and the review/inspection of the tailings dam at the Site pursuant to the "QA/QC Sampling Plan," dated May 28, 1992, and prepared by Ecology and Environment, Inc., for the Site.

UPCMC will be provided with splits of each sample taken, will be given a receipt describing each sample taken, and will be promptly furnished with a copy of the results of any analysis made of samples taken.

It is understood that the Government Representatives shall notify UPCMCM in writing of the names, titles and employers of the individuals who will be entering onto the Site prior to their entry.

It is understood that the Government Representatives shall promptly provide UPCMCM with copies of any and all photographs taken of the Site and of any final report made or data collected from the above-described activities.

The Government Representatives shall be accompanied by UPCMCM personnel at all times while the Government Representatives are on the Site. United Park will provide sufficient personnel to accompany the two two-person sampling teams and the one tailings dam inspector that EPA has represented will be at the Site to perform the above-described activities. Prior to the Government Representatives' entry upon the Site, the Government Representatives shall meet with UPCMCM personnel at 8:00 am on August 4, 1992, at the junction of Highways U 248 and US 40 and then proceed to the Site.

It is understood that prior to the Government Representatives' completion of activities at the Site on August 8, 1992, the Government Representatives will remove from the Site all discarded materials, rubbish, protective clothing, and unused chemicals and sampling devices which they brought on the Site during the period of August 4, 1992 through August 8, 1992.

UPCMCM understands that the above-described activities by the EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9604. As of this date, UPCMCM, in giving this consent, is not responding to any threats nor is it relying upon any additional promises, representations or claims, either oral or written, made by any Government Representative, other than the understandings specified in this Consent to Access.

The officer of UPCMCM who signs this Consent to Access on behalf of UPCMCM is authorized to sign on behalf of UPCMCM.

UNITED PARK CITY MINES COMPANY

BY: \_\_\_\_\_

\_\_\_\_\_  
(Date)

Its \_\_\_\_\_

COPY